UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,354	01/30/2001	Paul J. Rank	0007056-0070/P5375NP/ARG	2393

7590	11/23/2004	EXAMINER

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EXAMINER
NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/774,354	RANK ET AL.
	Examiner	**Art Unit**	
	Maikhanh Nguyen	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 September 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *06/24/2003*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Amendment filed 09/16/2004 to the

original application filed 01/30/2001; IDS filed 06/24/2003.

2.   Claims 1-18 are currently pending in this application. Claims 1, 6, 8, 10, 15 and 17 have

been amended. Claims 1 and 10 are independent claims.

Drawings

3.   Figures 1 and 4 should be designated by a legend such as --Prior Art-- because only that

which are old are illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37

CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37

CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not

accepted by the examiner, the applicant will be notified and informed of any required corrective

action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-3, 8-12 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Wright et al.** (U.S. 5,055,998 – issued 10/1991).

As to independent claim 1, Wright teaches a method for evaluating a spreadsheet file *(Abstract)* comprising:

- obtaining said spreadsheet file in a first format *(e.g., the spreadsheet in the source structure; col.1, lines 23-24/a spreadsheet structure from a source form; col.36, lines 5-12)* on a first device *(e.g., one spreadsheet processing system; col.1, lines 12-16)*;

- converting the spreadsheet file to a second format (e.g., *the spreadsheet must be translated from the structure 'source structure' required by the first spreadsheet program to the structure 'the target structure' required by the second spreadsheet program; col.1, lines 23-27/ translate a spreadsheet produced by one spreadsheet program into a spreadsheet produced by another spreadsheet program; col.20, lines 42-44/ converting the representation of a spreadsheet structure from a source form into a destination form; col.36, lines 5-8 and Figs.1-2).*

While Wright teaches converting the spreadsheet file, Wright does not specifically teach *"evaluating"*.

It would have been obvious to one of ordinary skill in the art to have applied the teachings of Wright to include the features as claimed because Wright's teachings would have provided the capability for computing the value of the expression.

The fact that Wright's teachings *"computes the value ... recomputes all of the other values" (col.20, lines 12-57)* and the purpose of *computing and recomputes in* Wright suggests *"evaluating"*.

- transferring the spreadsheet file to a second device *(e.g., transfer a spreadsheet from one spreadsheet processing system to another; col.1, lines 12-16)*.

As to dependent claim 2, Wright teaches the first device is a computer *(e.g., one spreadsheet processing system; col.1, lines 12-16)*.

As to dependent claim 3, Wright teaches the second device is a small device *(e.g., another processing system; col.1, lines 12-16)*.

As to dependent claim 8, Wright teaches compiling code that is readable by a small device *(col.1, lines 12-38)*.

As to dependent claim 9, Wright teaches parsing the formulas *(col.34, lines 50-65)*.

As to independent claim 10, is directed to a computer program product for performing the method of claim 1, and is similarly rejected under the same rationale.

As to dependent claims 11-12, they include the same limitations as in claims 2-3, and are similarly rejected under the same rationale.

As to dependent claims 17-18, they include the same limitations as in claims 8-9, and are similarly rejected under the same rationale

5.   Claims 4-7 and 13-16 remain rejected under 35 U.S.C. 103(a) as being unpatentable over **Wright et al.** in view of **Pajakowski et al** (U.S. 6,718,425 – field 05/2000).

As to dependent claim 4, Wright does not explicitly teach "a PDA".

Pajakowski teaches a PDA *(e.g., the handheld computer; Figs. 1-2 and claim 57)*.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the feature of Pajakowsk in the system of Wright because

Pajakowsk's teaching would have provided the capability for increasing the flexibility in Wright's system.

As to dependent claim 5, Wright does not explicitly teach "the converting is performed by a conduit."

Pajakowski teaches the converting is performed by a conduit *(e.g., conduit software ... to convert; col.46, lines 55-64).*

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the feature of Pajakowsk in the system of Wright because Pajakowsk's teaching would have provided the capability for translating and moving data from one computer to another computer.

As to dependent claim 6, Wright teaches the converting further comprises gathering the one or more formulas *(col.34, lines 50-65).* Note the discussion of claim 5 above for the conduit.

As to dependent claim 7, Wright teaches evaluating the formulas *(col.33, lines 50-60),* note the discussion of claim 5 above for the conduit.

As to dependent claims 13-16, they include the same limitations as in claims 4-7, and are similarly rejected under the same rationale.

Response to Arguments

6.   Applicants' arguments with respect to claims 1-18 have been considered but they are not persuasive.

Applicant argues that *Wright et al. does not teach or suggest converting that comprises evaluating one or more formulas.* (Remarks, page 8)

In response, Wright does show "converting" (e.g., *the spreadsheet must be translated from the structure 'source structure' required by the first spreadsheet program to the structure 'the target structure' required by the second spreadsheet program; col.1, lines 23-27/ translate a spreadsheet produced by one spreadsheet program into a spreadsheet produced by another spreadsheet program; col.20, lines 42-44/ converting the representation of a spreadsheet structure from a source form into a destination form; col.36, lines 5-8 and Figs.1-2).*
Wright also suggests "evaluating" as discussed in the rejection above.

Applicant agues that *Wright et al. does not teach or suggest compiling code that is readable by a small device. (Remarks, page 9)*

In response, Wright's teachings *"if one person creates a spreadsheet and another who has a different spreadsheet program wishes to use the spreadsheet program, the spreadsheet must be translated from the structure (the source structure) required by the first spreadsheet program to the structure (the target structure) required by the second spreadsheet program. Of course, program can be written which perform* the translation, but there must be a program for each source structure-target structure pair" (col.1, lines 21-30) do read-on "compiling code that is readable by a small device" as claimed by Applicant.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).
Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093.

The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph H Feild can be reached on (571) 272-4090. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

Maikhanh Nguyen
November 12, 2004